

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MARK A. JACKSON,

Plaintiff,

v.

Case No. 2:23-cv-2591

JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Chelsey M. Vascura

CONROY RENTAL,

Defendant.

ORDER

This matter is before the Court on the August 21, 2023 Order and Report and Recommendation issued by the Magistrate Judge. (R&R, ECF No. 3.) Although the Magistrate Judge granted Plaintiff Mark A. Jackson's request for leave to proceed *in forma pauperis*, she also recommended that the Court dismiss Mr. Jackson's Complaint for lack of subject-matter jurisdiction after performing an initial screen pursuant to 28 U.S.C. § 1915(e)(2). (*Id.*) Mr. Jackson filed a timely objection. (Obj., ECF No. 4.)

If a party objects within the allotted time to a report and recommendation, the Court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1); *see also* Fed. R. Civ. P. 72(b)(3). Upon review, the Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1).

In his objection, Mr. Jackson argues that being a landlord does not make Defendant Conroy Rental immune and that 28 U.S.C. § 4101 gives this Court jurisdiction over the case. (Obj.) The Magistrate Judge did not find, however, that Conroy Rental was immune, but that Mr. Jackson's claim styled as one under the Americans with Disabilities Act was bared by the

Rooker-Feldman doctrine and that the Court lacked federal-question and diversity jurisdiction over Mr. Jackson's defamation claim. (R&R.) The Magistrate Judge also addressed Mr. Jackson's § 4101 argument and the Court agrees with her reasoning. (*Id.* PageID 81.) Chapter 181 of Title 28 of the United States Code deals with foreign judgments, and there is no foreign judgment at issue here.

The Court therefore **OVERRULES** Mr. Jackson's Objection (ECF No. 4) and **ADOPTS** and **AFFIRMS** the Report and Recommendation (ECF No. 3). Mr. Jackson's Complaint (ECF No. 2) is **DISMISSED**. The Clerk is **DIRECTED** to **TERMINATE** this case from the docket.

IT IS SO ORDERED.

11/1/2023
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE